

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

ADAM YEOMAN,

Plaintiff,
v.
Case No. 17-cv-1199-pp

DR. JEFFREY MANLOVE, *et al.*,

Defendants.

**DECISION AND ORDER DENYING AS UNNECESSARY THE PLAINTIFF'S
MOTION FOR ORDER DIRECTING THE DEFENDANT TO SEND THE
PLAINTIFF A MEDICAL AUTHORIZATION FORM (DKT. NO. 16)**

The plaintiff has filed a letter, asking the court to order opposing counsel to send him a consent/authorization form for him to sign and return, giving opposing counsel access to his medical file. Dkt. No. 16.

On September 26, 2017, the court allowed the plaintiff to proceed with this lawsuit, and ordered the defendants to answer or otherwise respond to the complaint within sixty days. Dkt. No. 10. The defendants filed their answer on December 19, 2017, and denied certain of the plaintiff's factual allegations because the defendants "lack[ed] sufficient knowledge or information to form a belief as to the truth of the allegations." See Dkt. No. 15. To explain why they lacked knowledge of certain facts, the defendants included a footnote that stated, "[d]efendants do not have a signed release for authorization to obtain Plaintiff's medical records." Id. at ¶12. The plaintiff appears to have construed this statement as an accusation that opposing counsel sent him a

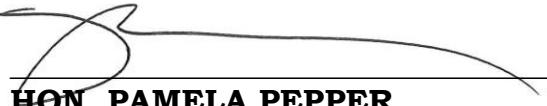
consent/authorization form, but that he refused to it. Dkt. No. 16 at 1. He asks the court to order the defendants to send him the form, assuring the court that he “absolutely” will sign it. *Id.*

The defendants weren’t accusing the plaintiff of refusing to sign a form. At the time the defendants filed their answer, the court had not issued a schedule for the parties to begin exchanging “discovery”—documents and other evidence. On January 11, 2018, however, the court did issue just such a scheduling order, giving the parties permission to start asking each other for documents. Dkt. No. 18. That order indicates that the parties have until May 11, 2018 to engage in the collection of discovery. If the defendants want access to the plaintiff’s medical records as part of discovery, they will send the plaintiff a consent/release form for him to sign; once they get a signed form back, they will be able to obtain the plaintiff’s medical file and review it. The court understands that the plaintiff would like the lawsuit to move forward as quickly as possible. It *is* moving forward, on the schedule that the court set in the January 11, 2018 scheduling order.

The court **DENIES AS UNNECESSARY** the plaintiff’s letter motion for an order directing the defendant to send plaintiff a medical authorization form. Dkt. No. 16.

Dated in Milwaukee, Wisconsin this 30th day of January, 2018.

BY THE COURT:



HON. PAMELA PEPPER
United States District Judge